

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE AIMMUNE THERAPEUTICS INC.
SECURITIES LITIGATION

Case No. 20-cv-06733-MMC

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
ADMINISTRATIVE MOTION TO SEAL
[DOC. NO. 132]; DIRECTIONS TO
PLAINTIFFS**

Before the Court is plaintiffs' Administrative Motion, filed March 8, 2024 (Doc. No. 132), whereby plaintiffs seek to file under seal the following materials, which, plaintiffs state, have been designated as confidential by other parties:

(1) portions of plaintiffs' Notice of Motion and Motion for Class Certification and Memorandum of Supporting Points and Authorities ("Motion for Class Certification"); and (2) various exhibits attached to the Declaration of Jaun E. Monteverde in Support of Plaintiffs' Motion for Class Certification ("Monteverde Declaration"). A response to the Administrative Motion has been filed by Nestlé Health Science U.S. and Aimmune Therapeutics, Inc.

The Court having read and considered the above-referenced submissions, the Administrative Motion is hereby GRANTED in part and DENIED in part as follows:

1. To the extent the Administrative Motion seeks leave to file under seal portions of the Motion for Class Certification, the Administrative Motion is, as set forth below, GRANTED in part and DENIED in part.

a. The Administrative Motion is GRANTED as to page 7, lines 18-20.

b. In all other respects, the Administrative Motion is DENIED, the designating

parties not having sought to have those other portions sealed.

2. To the extent the Administrative Motion seeks leave to file under seal exhibits attached to the Monteverde Declaration, the Administrative Motion is, as set forth below, GRANTED in part and DENIED in part.

a. As to Exhibit A, the Administrative Motion is GRANTED.

b. As to Exhibit B, the Administrative Motion is GRANTED as to the following:

i. page 19, ¶¶ 74-75

ii. pages 20-22, ¶¶ 78-84

iii. page 26, ¶ 99, starting with the word “As” and ending with the word “place”

iv. page 26, ¶ 100, starting with the word “Both” and ending with the date “2020”

v. page 44, ¶ 164 starting with the word “Nestle’s” and ending with the word “and”

vi. page 45, ¶ 165 starting with the word “Nestle” and ending with the word “Aimmune.”

vii. In all other respects, the Administrative Motion is DENIED, the designating parties not having sought to have those other portions sealed.

c. As to Exhibit 35, the Administrative Motion is GRANTED as to pages BOAS_Aimmune00003430-36. As to all other portions of Exhibit 35, the Administrative Motion is DENIED, good cause for their sealing not having been shown or the designating parties not having sought to have those other portions sealed.

d. As to Exhibits 82, 84, and 95, the Administrative Motion is GRANTED.

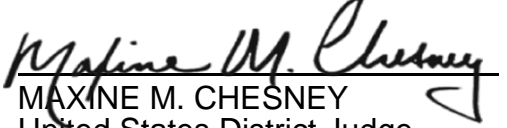
e. As to Exhibits 9, 10, 12, 13, 16, 18, 20, 21, 34, 39, 44, 49, 55, 57, 66, 70, 75, 89, 96, and 103, the Administrative Motion is DENIED, the designating parties not having sought to have those exhibits sealed.

3. Plaintiffs are hereby DIRECTED to file in the public record, no later than fourteen days from the date of this order:

- a. a revised redacted version of the Motion for Class Certification;
- b. a revised redacted version of Exhibits B and 35 to the Monteverde Declaration; and
- c. Exhibits 9, 10, 12, 13, 16, 18, 20, 21, 34, 39, 44, 49, 55, 57, 66, 70, 75, 89, 96, and 103 to the Monteverde Declaration.

IT IS SO ORDERED.

Dated: April 16, 2024


MAXINE M. CHESNEY
United States District Judge

United States District Court
Northern District of California